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8 *Attorneys for individual and representative Plaintiffs Shonetta Crain and Kira Serna*

13 SHONETTA CRAIN AND KIRA SERNA,
14 individually and on behalf of all others
similarly situated,

15 || Plaintiffs.

16 || v.

17 ACCREDITED CASUALTY AND SURETY
COMPANY, INC., et al.,

Defendants.

Case No. 3:19-CV-001265-JST
CLASS ACTION

**DECLARATION OF STUART T.
ROSSMAN IN SUPPORT OF
PLAINTIFFS' JOINT MOTION FOR
APPOINTMENT OF INTERIM CLASS
COUNSEL**

Date: June 6, 2019
Time: 2:00p.m.
Location: Courtroom 9
Judge: The Honorable Jon S. Tigar

20 STEVEN BREAUX, individually and on
21 behalf of all other similar situated individuals.

22 Plaintiff.

23 || v.

24 ACCREDITED CASUALTY AND SURETY
COMPANY, INC., *et al.*,

Defendants.

Case No. 3:19-CV-00717-JST

1 I, Stuart T. Rossman declare as follows:

2 1. I am an attorney at the National Consumer Law Center (“NCLC”) counsel for
3 Plaintiffs Shonetta Crain and Kira Serna in *Crain et al. v. Accredited Surety & Casualty Co., et*
4 *al.*, Case No. 3:19-cv-001265-JST (N.D. Cal.). I have personal knowledge of the facts herein
5 and, if called upon to testify to those facts, I could and would do so competently.

6 2. Attached as Exhibit A is a true and correct copy of NCLC’s firm resume.

7 3. I am a senior attorney and Director of Litigation at the National Consumer Law
8 Center in Boston, Massachusetts.

9 4. I have been admitted to practice before the Massachusetts Supreme Judicial Court
10 since 1978, and the United States District Court for the District of Massachusetts and the First
11 Circuit Court of Appeals since 1979.

12 5. I am a graduate of the Harvard Law School (J.D., cum laude, 1978) and the
13 University of Michigan (B.A., magna cum laude, 1975).

14 6. From 1978 to 1991 I was first an associate, and then a partner, in the litigation
15 department at the Boston law firm of Gaston & Snow. My practice consisted entirely of civil trial
16 cases, including, but not limited to, litigation on behalf of consumers injured by unfair and
17 deceptive business practices.

18 7. From 1991 to 1999 I served as an Assistant Attorney General in the
19 Massachusetts’ Attorney General’s Office. From 1991 to 1995 I was Chief of the Trial Division,
20 representing government agencies in a wide variety of civil litigation cases, primarily in
21 defensive, but also in affirmative, matters. The nature of the cases I supervised or tried included a
22 full spectrum of tort and contract claims brought against the Commonwealth. The practice also
23 included representation of government agencies in employment disputes, environmental and civil
24 rights violation claims.

25 8. From 1995 to 1999 I was Chief of the Business and Labor Protection Bureau. The
26 newly created Bureau focused on combating white-collar economic fraud through criminal and
27 civil enforcement. It consisted of the Insurance Fraud Division, the Unemployment Fraud
28 Division, the Medicaid Fraud Control Unit and the Fair Labor and Business Practices Division.

1 9. Since 1993 I have been a member of the adjunct faculty at the Northeastern
2 University School of Law teaching annual courses in Civil Trial Advocacy. During the Fall, 2010
3 term at Northeastern University School of Law I have been the Givelber Distinguished Visiting
4 Lecturer in Public Interest Law teaching a seminar on Predatory Lending litigation. In 2003 I co-
5 taught a Consumer Law Class at the Suffolk University School of Law. In 2015, 2016 and 2018 I
6 taught a seminar on Consumer Class Actions as a visiting lecturer at the University of Michigan
7 Law School. I also have lectured frequently and/or chaired litigation oriented educational
8 programs for PLI, the American Association for Justice, the National Association of Consumer
9 Advocates, the National Legal Aid and Defenders Association, MCLE, the Massachusetts Bar
10 Association and the Boston Bar Association.

11 10. On July 1, 1999, I became the Director of Litigation at the NCLC where I am
12 responsible for coordinating and litigating cases on behalf of income and/or age qualified
13 individuals, primarily in the areas of consumer financing, utilities regulation and affordable
14 housing. In that capacity, I have been qualified to file appearances, pro hac vice, on behalf of
15 consumers in class actions formerly or currently pending in the United States District Courts for
16 the Southern and Eastern Districts of New York, New Jersey, Eastern and Western Districts of
17 Pennsylvania, Puerto Rico, Georgia, Central District of Tennessee, Northern District of Illinois,
18 Kansas, the Central and Northern Districts of California and the Western District of Washington.

19 11. I am a member of the bars of the United States Supreme Court, the United States
20 Court of Claims, the United States Courts of Appeal for the 1st, 2nd, 4th, 6th and 9th Circuits and
21 the United States District Court for the Western District of New York.

22 12. In addition, I have been qualified to file appearances, pro hac vice, on behalf of
23 consumers in class actions filed in the state courts of California, Ohio, Rhode Island, Washington
24 and Wisconsin.

25 13. I have participated in numerous consumer class actions filed in the United States
26 District Court for Massachusetts and the courts of the Commonwealth of Massachusetts.

27 14. While at the NCLC I have been lead or co-counsel in over 100 filed consumer
28 class action cases, including, but not limited to, *Cason v. Nissan Motor Acceptance Corp., C.A.*

1 No. 3-98-0223, U.S. D. Ct. Middle District of Tennessee; Coleman v. General Motors
2 Acceptance Corp., C.A. No. 3-98-0211, U.S. D. Ct. Middle District of Tennessee; Morkavage v.
3 Morgan Stanley Dean Witter, C.A. 99-40114, U.S. D. Ct. District of Massachusetts; Follansbee v.
4 Discover Financial Services, C.A. N. 99-C-3827, U.S. D. Ct. Northern District of Illinois; and
5 Chilson v. Associates National Bank, C.A. 2000-0776, Massachusetts (Worcester County)
6 Superior Court; Samuel v. EquiCredit, C.A. No. 00-6196, U.S. D. Ct. Eastern District of
7 Pennsylvania; Jones v. Ford Motor Credit Co., Case No. 00-Civ-8330, U.S. D. Ct. Southern
8 District of New York; Smith v. Chrysler Financial Company, Civil Action No. 00-6003, U.S. D.
9 Ct. of New Jersey; Sandoval v. Washington Mutual, C.A. No. 01-2-06488-1, Superior Court of
10 the State of Washington ; Baltimore v. Toyota Motor Credit Corp., C.A. No CV-01-05564 NM,
11 U.S. D. Ct. Central District of California; Borlay v. Primus Automotive Financial Services, Inc.,
12 Civil No. 3:02-0382, U.S. D. Ct. Middle District of Tennessee; Willis v. American Honda
13 Finance Corp., Case No. 3-02-0490, U.S. D. Ct. Middle District of Tennessee; Osborne v. Bank
14 of America, Case No. 3-02-0364, U.S. D. Ct. Middle District of Tennessee; Russell v. Bank One,
15 Case No. 3-02-0365, U.S. D. Ct. Middle District of Tennessee; Logan v. Firststar, Case No. 3-02-
16 0681, U.S. D. Ct. Middle District of Tennessee; Zipperer v. Supportkids, Inc., Case No. 02 CV
17 233, State of Wisconsin Circuit Court (Manitowoc County); In Re Washington Mutual Overdraft
18 Protection Litigation, Case No. 03-2566 ABC, U.S. D. Ct. Central District of California; Hood v.
19 Santa Barbara Bank & Trust, Case No. 1156354, Superior Court of the State of California (Santa
20 Barbara County); Pettway v. Harmon Law Offices, P.C., Case No. 03-10932-RCL, U.S. D. Ct.
21 District of Massachusetts; Wilborn v. Bank One Corp., Case No. 03-cv-02674, Ohio Common
22 Pleas Court (Mahoning County); Amos v. Advanced Funding, Inc, Civil Action No. 1-04-CV-
23 2911, U.S. D. Ct. Northern District of Georgia (Atlanta Division); Henry v. Structured
24 Investments Co., Inc., Case No. 05CC00167, Superior Court of the State of California (Orange
25 County); Duff v. Washington Mutual Bank, Case No. 2:04-cv-2309 JLR, U.S. D. Ct. Western
26 District of Washington at Seattle; White, et al. v. Experian Information Solutions, Inc., et al.,
27 Case No. SA CV05-2070, U.S. D. Ct. Central District of California; Alleyne v. Flagstar, et al.,
28 Case No. 07-12128, U.S. D. Ct. District of Massachusetts; Mogel v. Unum Life Insurance

1 Company of America, Case No. 07-CA-10955, U.S. D. Ct. District of Massachusetts; Puello v.
2 Citifinancial/Citigroup, Case No. 08-10417, U.S. D. Ct. District of Massachusetts; Barrett v.
3 Option One/ H& R Block Bank, Case No. 08-10157, U.S. D. Ct. District of Massachusetts; Blake
4 v. Riddle & Wood, P.C. , Case N. 08-12033, U.S. D. Ct. District of Massachusetts; Faber v.
5 Metropolitan Life Insurance Company, Civ. Act. No.: 08 Civ. 10588, U.S. D. Ct. Southern
6 District of New York; Tammaro v. Direct Federal Credit Union, C.A. No. 08-5508-BLS2,
7 Massachusetts (Suffolk Business Litigation Session) Superior Court: Rodriguez v. Chase Bank
8 USA, N.A., Case No. 1:09-CV-10614, U.S. D. Ct. District of Massachusetts; Vander Luitgaren v.
9 Sun Life Assurance Company, et al., Case No. 09-CV-11410, U.S. D. Ct. District of
10 Massachusetts; Powell-Perry v. Branch Banking & Trust, Inc., et al., C.A. 1:09-cv-619, U.S. D.
11 Ct. Middle District of North Carolina; Yourke v. Bank of America, N.A., et al., Civil Action No.
12 09-02186, U.S. D. Ct. Northern District of California; Bosque v. Wells Fargo Bank, N.A., Civil
13 Action No. 10-10311, U.S. D. Ct. District of Massachusetts; Johnson v. BAC Home Loans
14 Servicing , LP, Civil Action No. 10-10316, U.S. D. Ct. District of Massachusetts; Durmic v. J.P.
15 Morgan Chase Bank, N.A., Civil Action No. 10-10380, U.S. D. Ct. District of Massachusetts;
16 Belyea v. Litton Loan Servicing, LLP, Case Number 1:10-cv-10931.LLP., U.S. D. Ct. District of
17 Massachusetts; Merrimon v. Unum Life Insurance Company of America, Civ. No. 10-cv-447,
18 U.S. D. Ct. District of Maine; Otte v. Life Insurance Company of North America, Civ. No. 09 CV
19 11537, U.S. D. Ct. District of Massachusetts; Adkins v. Morgan Stanley, No. 12-CIV-7667, U.S.
20 D. Ct. Southern District of New York.

21 15. The NCLC has been referred to as the “leading non-profit low-income consumer
22 advocacy organization in the country. Memorandum and Order, January 27, 1999, Mazola, et al
23 v. The May Department Stores Company, United States District Court for the District of
24 Massachusetts, 97-CV-10872-NG (J. Gertner). NCLC has been representing low-income
25 consumers before government agencies, Congress and state legislatures since 1969. It has
26 appeared in the United States Supreme Court and federal and state courts and has successfully
27 presented many important cases affecting consumer borrowers. It provides consultation and
28 assistance to legal services, private and government attorneys in all fifty states. NCLC publishes

1 a nationally acclaimed series of manuals on all major aspects of consumer credit and sales. It also
2 conducts training sessions nationally on the rights of consumer borrowers for attorneys,
3 paralegals and other counselors. NCLC works closely with lawyers representing low- income
4 consumers, and with federal and state officials, labor unions, and community and civil rights
5 organizations to promote justice for consumers. NCLC maintains offices in Boston,
6 Massachusetts and Washington, D.C.

7 16. One of the issue areas that NCLC focuses its attention on is the intersection of
8 criminal and consumer law and their role in equitable criminal justice reform. In particular, the
9 organization is a recognized national leader in the field of criminal justice debt having issued
10 reports on “The Rent to Own Racket: Using Criminal Courts to Coerce Payments from
11 Vulnerable Families” (Feb. 2019); “Commercialized (In)Justice: Consumer Abuses in the Bail
12 and Corrections Industry”(Dec. 2018); and “Confronting Criminal Justice Debt: A
13 Comprehensive Project for Reform” (Sept. 2016)(in collaboration with the Harvard Law School’s
14 Criminal Justice Policy Program). In addition, NCLC has co-sponsored a Confronting Criminal
15 Justice Debt webinar series with the Harvard Law School’s Criminal Justice Policy Program since
16 October, 2017. See, <https://www.nclc.org/issues/criminal-justice.html>

17 17. The Center’s staff of over 50 permanent employees includes 29 attorneys who
18 possess over 250 cumulative years of specialized consumer law expertise. In addition, a changing
19 mix of special projects attorneys, consultants, fellows, and temporary hires normally supplements
20 the regular staff. NCLC is governed by a volunteer national board of directors that has included a
21 past president of the American Bar Association, a former Arizona Solicitor General, as well as
22 bar association representatives and clients from low-income communities.

23 18. As Director of Litigation at the NCLC I have coordinated the NCLC’s annual
24 Consumer Class Action Symposium since its first presentation in Baltimore, MD, in October,
25 2001. I am the co-editor of the 9th Edition of the NCLC Consumer Class Actions manual.

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1 I declare under penalty of perjury under the laws of the United States that the foregoing is
2 true and correct.

3 Executed on the first of May, 2019 in Boston, Massachusetts

4 */s/ Stuart T. Rossman*
5 Stuart T. Rossman
6 B.B.O. No. 430640

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